

**FILED**PROB 12C  
(7/93)**UNITED STATES DISTRICT COURT**

OCT 19 2012

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY US  
DEPUTY CLERK

for

WESTERN DISTRICT OF TEXAS**Amended  
Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: Robert Bahena, Jr. Case 4:11-CR-382-01Name of Sentencing Judicial Officer: Honorable Robert Junell, United States District JudgeDate of Original Sentence: March 20, 2012Original Offense: Aiding and Abetting Possession with Intent to Distribute Cocaine, in violation of  
21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2Original Sentence: 5 years Probation:Type of Supervision: Probation Date Supervision Commenced: March 20, 2012Assistant U.S. Attorney: Ms. Sandy Stewart Defense Attorney: Mr. David Fannin**PREVIOUS COURT ACTION****None****PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue a summons

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The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>“The defendant shall not commit another federal state or local crime during the term of supervision.”</p> <p>On October 2, 2012, the defendant was arrested by the Ector County Sheriff’s Department for the offenses of Evading Arrest (Class “A” Misdemeanor) and <b>Burglary of a Habitation (2<sup>nd</sup> Degree Felony)</b>.</p>
2	<p>“The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.”</p> <p>On October 2, 2012, the defendant was found by deputies of the Ector County Sheriff’s Department to be associating with Javirus Malone White while Javirus Malone White was engaged in the burglarizing of a residence. Both the defendant and Javirus Malone White were arrested by the Ector County Sheriff’s Office for the offenses of Evading Arrest and <b>Burglary of a Habitation</b>.</p>

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U.S. Probation Officer Recommendation:

☒ The term of supervision should be

☒ revoked. Maximum penalty: 20 years imprisonment; 3 years of supervised release; and payment of any unsatisfied monetary sanction previously imposed.

☐ extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.

☐ The conditions of supervision should be modified as follows:

Approved:

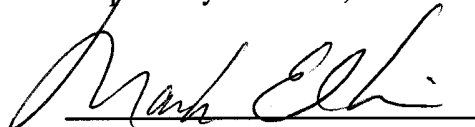


Katherine J. Harrison  
Supervising U.S. Probation Officer  
Telephone: (432) 686-4060, Ext. 2226

kjh

cc: John Klassen, Assistant U.S. Attorney  
ADCUSPO, El Paso

Respectfully submitted,



Mark Elkins  
U.S. Probation Officer  
Telephone: (432) 686-4060, Ext. 2255  
Date: October, 2012

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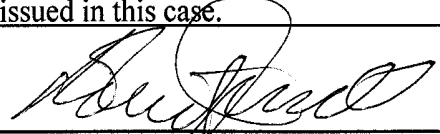
THE COURT ORDERS:

☐ No action.

☐ The issuance of a warrant.

☐ The issuance of a summons.

☒ Other The defendant is in U.S. Marshal custody on a warrant previously issued in this case.



Robert Junell  
U.S. District Judge

10-18-12

Date